

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
COURT FILE NO.: CV-04-4373 JNE/JBL**

Kay Phernetton,

Plaintiff,

v.

AFNI, Inc.,

Defendant.

**NOTICE OF DISMISSAL
WITH PREJUDICE**

IT IS HEREBY NOTICED by the Plaintiff and his attorneys, that the above-entitled action against this Defendant shall be and hereby is dismissed with prejudice and on the merits, without costs, or disbursements, or attorneys' fees to any party and that a judgment of dismissal with prejudice may be entered in the above-entitled action pursuant hereto.

Dated: 24 November 2004

THE BARRY LAW OFFICE, LTD.

By: **s/ Peter F. Barry**

Peter F. Barry, Esq.

Attorney I.D.#0266577

342 East County Road D

St. Paul, Minnesota 55117

Telephone: (651) 714-8800

ATTORNEY FOR PLAINTIFF